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By

Eric L. Maldonado

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Attorney Docket No. SCET 18.691(100809-16256)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Takaaki AMANO, et al.
Serial No.: 09/863,882
Filed: May 23, 2001
Title: TRANSACTION PROCESSING METHOD...
Examiner: Melanie A. Kemper
Art Unit: 3622

Director of the U.S. Patent and
Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT

S I R:

In order to comply with discretionary rules 37 CFR §§1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of documents listed thereon. These documents contain information in which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

As this statement is being filed prior to issuance of a first Office Action, no fee is due.

Also attached is a copy of a Notification of Reason of Refusal dated August 5, 2003 from the corresponding Japanese Patent Application. All of the documents listed in Form PTO- 1449 appear in the Notification of Reason of Refusal.

As some of these documents are written in a language other than English, English Language abstracts are annexed thereto explaining their relevancy in accordance with 37 CFR §1.98(a)(3).

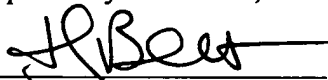
Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

The present Information Disclosure Statement is being submitted in compliance with 37 §CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is respectfully solicited.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Thomas L. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
(212) 940-8800
DOCKET NO.: SCET 18.691(100809-16256)



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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

1379/PTO	U.S. Department of Commerce Patent and Trademark Office	Application No. : 09/863,882
		Filing Date : May 23, 2001
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		First Named Inventor: T. AMANO
<u>Sheet 1 of 1</u>		Group Art Unit : 3622
		Examiner Name : M.A. KEMPER
		Attorney Docket No. : SCET 18.691

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document	Kind Code if known ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD- YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear

FOREIGN DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY/Y	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		11-296587	JP	HITACHI LTD	10/29/1999	
		11-175851	JP	HITACHI LTD	07/02/1999	
		2000-123105	JP	ADC TECHNOLOGY KK	04/28/2000	

Other Prior Art-Non Patent Literature Documents

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check her if English language translation attached
Examiner Signature		Date Considered	

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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1¹ if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Notification of Reasons for Refusal

Patent Application No.	2001-151501
Drafting Date:	July 30, 2003
Examiner of JPO	Ryou KAIZUKA 3043 5L00
Representative/Applicant	Iwao MISHINA et al.
Applied Provision	Patent Law Sections 29 main paragraph and 29(2)

This application should be refused for the reasons mentioned below. If the applicant has any arguments against the reasons, such arguments should be submitted within 60 days from the date on which this notification was dispatched.

Reasons

<Reason A>

The inventions in the claims listed below of the present application should not be granted a patent, since they do not satisfy the requirements as stipulated in the provision of Patent Law Section 29(1), main paragraph.

Note

(1) In the Claim 1, there are descriptions that [A server apparatus] is specified to have function means below: [display point determining means for determining a point number to be displayed on the advertisement within an applicable point number in accordance with a predetermined rule] and [Web server means for generating a Web page which displays the advertisement with respect to the person concerning the first apparatus, to which the determined point number has been applied, under selectable condition, and for displaying the generated Web page on the second apparatus]. However, there is not mentioned concretely how determines [a point number to be displayed on the advertisement] within an applicable point number in accordance with [a predetermined rule], and how generates, [Web page which displays the advertisement with respect to the person concerning the first apparatus, to which the determined point number has been applied, under selectable condition] and displays the generated Web page on the second apparatus. Therefore, it is no specified how information processing by software of a computer is realized concretely by using hardware resource. As a whole, they are not applicable to the creation of technical idea used a natural rule, thus they are not [inventions].

Further, regarding the Claims 3 and 4, they are not [invention] for the same reasons above.

Also, regarding the Claims 2, 5 and 10 referring to the Claims 1, 3 and 4, they are not [invention] for the same reasons above.

to be continued

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(2) In the Claim 6, it is simply defined that who is [a cost sharing person who shares cost for a service] for [providing a service for a customer in response to a point applied to the customer when an order is accepted in on-line shopping for accepting an order via a net work], and it is artificial decision to perform when it is needed. As a whole, it is not applicable to the creation of technical idea using a natural rule, thus it is not [invention].

Also, regarding the Claims 7 to 9 referring to the Claim 6, they are not [invention] for the same reason.

As described above, the present invention in the Claims 1 to 10 are not applicable to the creation of technical idea using a natural rule, thus they are not stipulated Patent Law Section 2.

<Reason B>

The inventions in the claims listed below of the subject application should not be granted a patent under the provision of Patent Law Section 29(2) since it could easily have been made, prior to the filing of the patent application, by a person with ordinary skill in the art to which the invention pertains, on the basis of the inventions described in the publications listed below which had been described in a distributed publication or made available to the public through electric telecommunication lines in Japan or elsewhere prior to the filing of the subject application.

Note

Claims: 1, 3, 4, 10

Cited document: 1

Remarks:

In the cited document 1, there are descriptions for a site guide system comprising; means for display a point number corresponding to a plurality of Web sites provided by a site provider and each Web site; means (referred to the paragraph [0060] in the cited document 1) for setting the value of the points corresponding to each Web site from a terminal of the site provider; means (referred to the paragraph [0037] in the cited document 1) for display the set points according to the predetermined rules; means for designating the desired site by the customer from a plurality of Web sites; means for providing the points corresponding to the designated site to the customer, and means for providing a bonus for on-line shopping or the like, to the customer who stocks the points.

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Further, according to the description of the cited document 1, it is the matter can be easily designed by a person skilled in the art when they need to configure the number of the points from the predetermined points when the number of the points is configured corresponding to the site. Therefore, the present invention is easily have been made by a person skilled in the art, according to the cited document 1.

Claims: 2, 5,9

Cited document: 1

Remarks:

In the on-line shopping, it is usually done to discount the article price by using the points or the like (referred to the paragraph [0022] in the cited document 1).

Claim: 6

Cited document: 1

Remarks:

In the on-line shopping, it is usually done to provide the service according to the point given to the customer (referred to the paragraph [0068] in the cited document 1).

Further, in the Claim 6, it is simply defined who is a cost sharing person for the service. It dose not have an inventive step technically.

Claim: 7

Cited document: 1

Remarks:

In the on-line shopping, it is well-known technique to show the predetermined information to be selectable (referred to the paragraph [0063] in the cited document 1).

Claim: 8

Cited document: 1

Remarks:

In the on-line shopping, it is well-known technique to provide the points to the customer, according to the information selected (referred to the paragraph [0056] in the cited document 1).

If reason(s) for refusal is found later, it will be notified.

to be continued

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LIST OF CITED REFERENCES

1. Japanese Laid-open Patent Publication No. 2000-123105

Record of the result of prior art search

- Technical fields to be searched G06F17/60
- Prior art documents
 - Japanese Laid-open Patent Publication No. H11-175851
 - Japanese Laid-open Patent Publication No. H11-296587

This record is not a component of the reasons for refusal.

拒絶理由通知書

特許出願の番号	特願2001-151501
起案日	平成15年 7月30日
特許庁審査官	貝塚 涼 3043 5L00
特許出願人代理人	三品 岩男(外 1名) 様
適用条文	第29条柱書、第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

<理由A>

この出願の下記の請求項に記載されたものは、下記の点で特許法第29条第1項柱書に規定する要件を満たしていないから、特許を受けることができない。

記

(1) 請求項1には、「サーバ装置」が、「あらかじめ定めた規則にしたがい、付与可能なポイント数のうちから前記広告に表示するポイント数を決定する表示ポイント決定手段」、「決定されたポイント数を付した、第1の装置に係る者に関する広告を選択可能な状態で表示するWebページを生成し、第2の装置に表示させるWebサーバ手段」という機能手段を備えることを特定する記載がなされているが、当該記載は、該「あらかじめ定めた規則」にしたがい、具体的にどのように付与可能なポイント数のうちから「前記広告に表示するポイント数」を決定するのか、該「決定されたポイント数を付した、第1の装置に係る者に関する広告を選択可能な状態で表示するWebページ」を具体的にどのように生成し、第2の装置に表示させるのかについては何ら記載されておらず、コンピュータのソフトウェアによる情報処理が、ハードウェア資源を用いて具体的に実現されたものとして特定されていないので、全体として自然法則を利用した技術的思想の創作とは認められず、「発明」に該当しない。

また、請求項3及び4についても、上記請求項1と同様の理由により、「発明」に該当しない。

また、上記請求項1、3及び4を引用する請求項2、5及び10についても、同様の理由により、「発明」に該当しない。

(2) 請求項6に記載のものは、「ネットワークを介して注文を受付けるオンラインショッピングにおいて、顧客に付与したポイントに応じたサービスを、注文受け時に顧客に提供する」業務を行うために、「サービスについてのコストを負担するコスト負担者」が如何なる者であるかを単に規定しているに留まり、業務上の必要に応じて行われる人為的取り決めに過ぎないので、全体として自然法則を利用した技術的思想の創作とは認められず、「発明」に該当しない。

また、上記請求項6を引用する請求項7-9についても、同様の理由により、「発明」に該当しない。

以上のとおりであるから、請求項1-10に記載のものは、自然法則を利用した技術的思想の創作とはいえず、特許法第2条でいう「発明」に該当しない。

<理由B>

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

請求項：1、3、4、10

引用文献：1

備考：

引用文献1には、サイト提供者が提供する複数のサイト及び該各サイトに対するポイントをそれぞれ表示する手段と、該各サイトに対するポイントの値をサイト提供者の端末から設定する手段（引用文献1の【0060】参照。）と、該設定されたポイントを所定の規則にしたがって表示する手段（引用文献1の【0037】参照。）と、該複数のサイトから利用者が所望のサイトを指定する手段と、該指定を受けたサイトに対するポイントを利用者に付与する手段と、該ポイントを蓄えた利用者に対してオンラインショッピング等における特典を付与する手段とを備えたサイト案内システムが記載されている。

なお、上記引用文献1に記載のものにおいて、前記サイトに対するポイントの値を設定する際、予め取り決めた所定のポイント数の中から行うようにすることは、当業者が必要に応じて設計し得る事項に過ぎないので、本願発明は、上記引用文献1の記載に基づいて当業者が容易に想到し得たものである。

請求項：2、5、9

引用文献：1

備考：

オンラインショッピングシステムにおいて、ポイント等を利用して商品価格の割引を行うこと（引用文献1の【0022】参照。）は、普通に行われている。

請求項：6

引用文献：1

備考：

オンラインショッピングシステムにおいて、顧客に付与したポイントに応じたサービスを提供すること（引用文献1の【0068】参照。）は、普通に行われている。

なお、当該請求項6に記載のものは、該サービスについてのコストを負担する者が如何なる者であるかを単に規定しているに過ぎず、技術的に何ら進歩性を有するものではない。

請求項：7

引用文献：1

備考：

オンラインショッピングシステムにおいて、所定の情報を選択可能に提示すること（引用文献1の【0063】参照。）は、周知の技術に過ぎない。

請求項：8

引用文献：1

備考：

オンラインショッピングシステムにおいて、選択した情報に応じて顧客にポイントを付与すること（引用文献1の【0056】参照。）は、周知の技術に過ぎない。

拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

引用文献等一覧

1. 特開2000-123105号公報

先行技術文献調査結果の記録

・調査した分野 G06F17/60

・先行技術文献 特開平11-175851号公報

整理番号 SCEI01007

発送番号 267598 4/E

発送日 平成15年 8月 5日

特開平11-296587号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。